

असाधारण

### EXTRAORDINARY

भाग II-- वण्ड 2

PART II-Section 2

प्राधिकार से प्रकाशित

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45 of 1955.

NEW DELHI, WEDNESDAY, NOVEMBER 20, 1974/KARTIKA 29, 1896

इस भाग में भिन्न पृष्ठ संख्या दी ज़ाती हैं, जिससे कि यह अलग संकलन के रूप में रखा जा सके। Separate paging is given to this Part in order that it may be filed as a separate compilation

# RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 20th November, 1974:---

#### BILL NO LIII of 1974

A Bill further to amend the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:-

1. This Act may be called the Working Journalists (Conditions of Service) and Miscellaneous Provisions (Amendment) Act, 1974.

Short title,

2. In sub-section (1) of section 1 of the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 (hereinafter referred to as the principal Act), for the words . "Working Journalists". the words "Working Journalists and other Newspaper Employees" shall be substituted.

Amendmentor section

3. In section 2 of the principal Act,-

Amendment of section

(a) for clause (a), the following clause shall be substituted, namely: -

- '(a) "Board" means--
- (i) in relation to working journalists, the Wage Board constituted under section 9; and

(1069)

- (ii) in relation to non-journalist newspaper employees, the Wage Board constituted under section 13C;';
- (b) after clause (d), the following clause shall be inserted, namely:—
- '(dd) "non-journalist newspaper employee" means a person employed to do any work in, or in relation to, any newspape: establishment, but does not include any such person who—
  - (i) is a working journalist, or
  - (ii) is employed mainly in a managerial or administrative capacity, or
  - (iii) being employed in a supervisory capacity, performs, either by the nature of the duties attached to his office or by reason of the powers vested in him, functions mainly of a managerial nature;'.

Insertion of new Chapter II-A. 4. In the principal Act, after Chapter II. the following Chapter shall be inserted, namely:—

## "CHAPTER II-A

## NON-JOURNALIST NEWSPAPER EMPLOYEES

- 13B. (1) The Central Government may, in the manner hereinafter provided,—
  - (a) fix rates of wages in respect of non-journalist newspaper employees; and
  - (b) revise, from time to time, at such intervals as it may think fit, the rates of wages fixed under this section.
- (2) The rates of wages may be fixed or revised by the Central Government in respect of non-journalist newspaper employees for time work and for piece work.
- 13C. For the purpose of fixing or revising rates of wages in respect of non-journalist newspaper employees under this Act, the Central Government shall, as and when necessary, constitute a Wage Board which shall consist of—
  - (a) two persons representing employers in relation to newspaper establishments:
  - (b) two persons representing non-journalist newspaper employees; and
  - (c) three independent persons, one of whom shall be a person who is, or has been, a Judge of a High Court or the Supreme Court and who shall be appointed by that Government as the Chairman thereof.
- 13D. The provisions of sections 10 to 13A shall apply to, and in relation to, the Board constituted under section 13C, the Central Government and non-journalist newspaper employees, subject to the modifications that—
  - (a) the references to the Board and working journalists therein, wherever they occur, shall be construed respectively as references to the Board constituted under section 13C and to non-journalist newspaper employees;

Fixation or) revivion of rates of wages of nonjournalist newspaper employ-

vees.

Wage Board for fixing or revising rates of wages in respect of nonjournalist newspaper employees

Application of cortain provisions.

- (b) the references in sub-section (3) of section 11 to section 9 shall be construed as a reference to section 13C; and
- (c) the references in section 13 and section 13A to section 12 shall be construed as references to section 12 read with this section.".
- 5. In section 19B of the principal Act. for the words "any working journalist", the words "any newspaper employee" shall be substituted.

Aanend ment of section 19B

6. In sub-section (3) of section 20 of the principal Act,---

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(i) for the words "or in two successive sessions", the words "or in two or more successive sessions" shall be substituted;

(ii) for the words "In which it is so laid or the session immediately following", the words "immediately following the session or the successive sessions aforesaid" shall be substituted

## STATEMENT OF OBJECTS AND REASONS

The Working Journalists. (Conditions of Service) and Miscellaneous Provisions Act, 1955. inter alia, empowers the Central Government to the and revise from time to time rates of wages in respect of working journalists and to constitute a Wage Board for the purpose of fixing or revising such rates. It is proposed to make similiar provisions in respect of non-journalist employees of newspapers establishments.

2. The Bill seeks to achieve the above object.

NEW DELJU;

K. V. RAGHUNATHA REDDY.

The 12th November, 1974.

#### FINANCIAL MEMORANDUM

Clause 4 of the Bill seeks to insert a new Chapter II-A in the principal Act. New section 13C contained in this Chapter provides for the constitution by the Central Government of a Wage Board for the purpose of fixing or revising rates of wages in respect of non-journalist newspaper employees under this Act on lines somewhat similar to those contained in section 9 of the principal Act regarding the constitution of a Wage Board for working journalists. As under the existing section 9, a Wage Board will have to be set up under proposed section 13C at periodical intervals and a Wage Board so set up may function (depending upon the quantum of work and other circumstances) for a period of approximately two years. The intention is to constitute Wage Board under the said section 9 and proposed section 13C as far as possible at the same time and to have a common Chairman and a common Secretariat for both the Boards. On the basis of the experience with regard to the expenditure incurred on other similar Boards (Wage Board for Iron and Steel Industry and Wage Board for Working Journalists and Non-Journalists set up in 1964 with a common Chairman and a common Secretariat), it is estimated that the expenditure on the Wage Boards under section 9 and proposed section 13C, if and when set up on the lines indicated above, may come to about rupees two lakhs per annum for a period of two years. Even if no provisions are made for the setting up of a Wage Board for non-journalist newspaper employees still expenditure to the extent of about rupees one lakh and fifty thousand per annum will have to be incurred in respect of the Wage Board for working journalists under section 9. the additional expenditure which will have to be incurred by reason of the provisions of new section 13C will be about rupees fifty thousand per annum (for meeting the travelling and daily allowance payable to the members other than the Chairman for attending the meetings) for a period of two years in respect of each Board that may be set up from time to time under that section.

2. The provisions of the Bill do not involve any other expenditure of a recurring or non-recurring nature.

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4 of the Bill seeks to insert a new Chapter II-A (containing sections 13B, 13C and 13D) in the principal Act for the purpose of empowering the Central Government to fix and revise from time to time rates of wages in respect also of non-journalist newspapers employees and to constitute a Wage Board for the purpose of fixing or revising such rates. The Chapter has, therefore, the effect of adding a new purpose, namely, fixing or revising the rates of wages in respect of non-journalist newspaper employees, to the existing purposes of the Act. Consequently, the power which the Central Government has under sub-section (1) of section 20 of the Act to make rules to carry out the purposes of the Act will become enlarged to cover the power to make rules in respect of the new purpose also.

- 2. As a result of the provisions of new section 13D (contained in the proposed Chapter II-A), the Central Government will have in relation to the non-journalist newspaper employees and the Wage Boards which may be set up in respect of them the same powers to make rules which it has at present, under sub-section (2) of section 20 read with sections 10 to 13A of the Act, in relation to working journalists and the Wage Boards which may be set up in respect of them.
- 3. As the matters in respect of which the Central Government will have power to make rules in relation to non-journalist newspaper employees and the Wage Boards which may be set up in respect of them will be the same as the matters in respect of which it can at present make rules under section 20 of the Act in relation to working journalists and the Wage Board for working journalists, and as these pertain to matters of detail or procedure, the delegation of legislative power involved is of a normal character.

B. N. BANERJEE, Secretary-General.